REMARKS

Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks herein, is respectfully requested. Claims 1, 12 and 36 are amended. The amendments are intended to advance the application and are not intended to concede to the correctness of the Examiner's position or to prejudice the prosecution of the claims prior to amendment, which claims are present in a continuation of the present application. Claims 1, 3-6, 8-14 and 16-36 are now pending.

The 35 U.S.C. § 112, Second Paragraph, Rejection

Claims 1, 3-6, 8-11, and 32-35 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner asserts that claim 1 is vague, indefinite or confusing as it is unclear if the mutant cell is selected for resistance to growth inhibition by a single lectin. This rejection is respectfully traversed.

It is Applicant's position that the metes and bounds of claim 1 are clear to one of skill in the art. That is, a lectin may be classified by the molecule(s) to which it binds (see, e.g., Brandli et al., J. Biol. Chem., 263:16283 (1988) (of record); wild-type cells bind wheat germ agglutinin (a lectin), conconavalin A (a lectin) and *H. pomatia* agglutinin (a lectin), see page 16286). Therefore, the use of the article "a" preceding "lectin" in claim 1 would be clear to one of skill in the art. Accordingly, withdrawal of the § 112(2) rejection is respectfully requested.

The 35 U.S.C. § 102 Rejection of the Claims

Claims 1, 3-4, 8-10, and 32-36 were rejected under 35 U.S.C. § 102(a) as being anticipated by Takeda et al. (Mol. Biol. Cell., 11:3219 (2000)) as evidenced by Ito et al. (J. Virol., 71:3357 (1997)). This rejection is respectfully traversed.

Takeda et al. report that CHO and MDCK cells which were stably transfected with rat podocalyxin did not aggregate or showed greatly reduced aggregation (abstract). It is also disclosed that the inhibitory effect was reversed by treatment with *Arthrobacter ureafaciens* sialidase (abstract).

In contrast, Applicant's mutant cells have decreased levels of *N*-acetylneuraminic acid and/or decreased levels of *N*-glycolylneuraminic acid as a result of an inherited (genetic) trait.

Therefore, withdrawal of the § 102(a) rejection is respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date August 17, 2006 By _____
Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17th day of July, 2006.

Dawn M. Poole
Name

Dawn M. Poole
Signature